

for if State Medicine comes, that in itself will show that the medical societies are not capable of protecting their interests. Certainly not to protect the lay people against themselves, because that will be too late. Will it be necessary to belong to a medical society to be in good standing? Do State officers, clerks, judges, and various other State employes belong to fraternities in order to be in good standing?

If there is a change in the political situation, will the general practitioner of today be the specialist of tomorrow? If there are one hundred graduates, and a vacancy for only fifty doctors, what will become of the other fifty? Or will the State regulate the number it will need to be permitted to graduate or enroll? If a physician who is in ill health, or for other reasons needs to or desires to make a change from one state to another, will it be necessary to make a political application, medical application, or wait for a quota, or wait for a vacancy?

If there exists an old-age law, will the doctor be removed after a certain age, and be placed on a pension? Will a surgeon be replaced at a younger age than a general practitioner?

Who will be responsible for malpractice suits, the doctor or the State?

If each physician asked himself each one of the foregoing questions, and made an attempt to answer as he thinks the situation might be, we would have a more concise idea as to the precise effect upon us and the laity if and when we have "State Medicine."

6253 Hollywood Boulevard, Hollywood.

HAROLD I. HARRIS.

Concerning the use of Healing Art Degrees by Persons not licensed in California.

(Copy)

STATE OF CALIFORNIA
LEGAL DEPARTMENT

San Francisco, July 9, 1937.

C. B. Pinkham, M. D.,
Secretary-Treasurer,
Board of Medical Examiners,
450 McAllister Street,
San Francisco, California.

Dear Sir:

I have your communication of the fourteenth instant in which are asked the following questions:

"May the holder of a certificate as a physician and surgeon, licensed by the Osteopathic Board in this State, who is a graduate of the Rush Medical School, Chicago, and who holds from that school the degree of M. D., use the term M. D. on his professional cards, or otherwise, in connection with the term D. O., without infringing the State Medical Practice Act?"

"In the event your answer is that such a physician and surgeon may not use the term M. D., then I should like to know if the term D. O. and M. D. could be used by such certificate holder, not for the purpose of practicing professionally, but as a member of the faculty of a non-accredited school for the purpose of teaching?"

In reply, please be advised the use of the suffix "M. D." on a professional card would, in my opinion, violate that portion of Section 17 of the Medical Practice Act of this State which prohibits a person not licensed under said act from using in any sign or advertisement the letters "M. D."

The Legislature, in my opinion, has the right to prevent persons possessing such degree from using the same for the purpose of securing professional business, unless they be licensed.

The fact of being licensed by the Osteopathic Board as a physician and surgeon is not important. Such a person cannot use professionally the suffix "M. D." without being licensed by the Medical Board.

The same situation would prevent a physician and surgeon licensed by the Board of Medical Examiners from using the expression "D. O." or any term indicating he was licensed as an osteopathic physician and surgeon.

As to your second question, it is the view of this office that the Legislature has no right to limit the use of a personal degree if its action will not in some way serve to protect the public. A person possessing and using a *bona*

fide degree, not in connection with the practice of medicine, could in no way impose on members of the public.

Teaching cannot be said to ordinarily constitute the practice of profession or a holding oneself out as so doing. For example, the teaching of chemistry, physics, or anatomy would not be practicing medicine.

However, should a person advertise himself as an "M.D." without licensure by the Board of Medical Examiners, and either examine or diagnose members of the public, a violation of the law would follow. (*People vs. Jordan*, 172 Cal. 391.)

Very truly yours,

U. S. WEBB, *Attorney General*.

By (signed) LIONEL BROWNE,
Deputy.

LB:F
JJE 1439

Concerning Animal Rabies in Los Angeles County.

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

June 24, 1937.

To the Editor:—You are familiar with the rabies situation in Los Angeles, and what we have done in supporting Doctor Parrish in his efforts to have a ninety-day quarantine ordinance adopted by the City Council. The opposition to rabies control measures, in my opinion, comes from the manner in which they are carried out. The old method of procedure was to have police officers and deputy sheriffs shoot dogs on sight, and arouse the antagonism of dog owners and the general public.

We recommend that a limited quarantine be placed on all dogs; that owners of dogs be requested to confine them to their premises or exercise them on a leash; that the humane society be requested to collect all stray dogs; that a proper pound or place of retention be established under the supervision of a man who understands dogs (preferably, of course, a veterinarian); that dogs be retained in the pound for sufficient time so that owners may claim them. At the end of a certain period of time, stray dogs should be disposed of in a humane manner. Owners should be advised to vaccinate their dogs.

This may not be 100 per cent effective, but the two measures taken together, namely, the picking up of stray dogs and the vaccination of privately owned dogs, rapidly clears up the rabies situation. However, it is not an activity which can be undertaken sporadically, but should be a continuous activity in both the city and county health departments. I feel that the health departments would be justified in establishing a Rabies Control Division, and devote their time to the same.

One of the greatest difficulties we have had to contend with is that the dog tax in most places is a revenue tax. It has always seemed to me that dog owners who pay the tax should receive something in return; either free vaccination for their dogs, or their dogs should not be menaced by a stray dog population.

It has been suggested that, instead of depending on the Rabies Act, the Board adopt rules and regulations for the control of rabies, with special reference to the handling of actual cases and contacts. This would give the health officer a continuous authority to deal with the situation, rather than having to adopt local ordinances or to request the enforcement of the State Rabies Act.

Very truly yours,

W. M. DICKIE,
Director of Public Health.

CALIFORNIA STATE DEPARTMENT OF PUBLIC HEALTH RABIES IN ANIMALS

Months	Los Angeles County Total		Los Angeles City		California	
	1936	1937	1936	1937	1936	1937
January	101	87	76	50	122	106
February	74	135	45	62	86	156
March	74	180	34	84	94	235
April	68	182	35	97	80	213
May	55	186	24	82	71	227
June*	71	119	30	61	95	137
July	51	.....	9	.....	83	.....
August	49	.....	16	.....	65	.....
September	61	.....	15	.....	81	.....
October	71	.....	30	.....	85	.....
November	62	.....	17	.....	83	.....
December	87	.....	33	.....	107	.....
Totals	824	889	364	436	1,052	1,074

* Month of June, 1937: first three weeks only